

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	
HORNACK, Janmarie, et al.	Docket No. 30900-CTN
Serial No. :	Group Art Unit No. _____
Filed:	
DIETARY SUPPLEMENT CONTAINING ALKALINE ELECTROLYTE BUFFERS	
Examiner: _____	

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

DECLARATION OF

1. I, Prapai Wishnow, am a resident of 82 Bubier Road
Martletown, MA 01945.

2. Attached hereto as Exhibit A is a copy of my (resume) or (*curriculum vitae*).

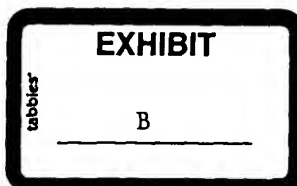
3. I have been advised that Janmarie Hornack, Overland Park, Kansas and Lawrence E. Dorman, Grain Valley, Missouri, the named co-inventors of the above patent application, filed an application Serial No. 09/706-05 under the above title, with this application being a continuation of the >706 application.

4. I have been further advised that the above referenced continuation application describes improved dietary or therapeutic supplements in which a solid dietary and/or therapeutic supplement agent having a pH of 6 or less and chosen from vitamins, bioflavonoids, minerals, trace minerals, whole plant food products containing phytonutrients, herbs and mixtures thereof, is combined with a sufficient amount of an electrolyte additive selected from the group of calcium, magnesium and potassium alkaline electrolytes, to increase the pH of the combined ingredients to a pH of from about 8 to about 12.5, which increases the bioavailability and effectiveness of the agent in the person's stomach.

5. I have reviewed the Declaration of Janmarie Hornack dated August 6, 2002, and attachments Exhibits A and B to her Declaration. Ms. Hornack in her notebook entry reports adding a sufficient amount of a magnesium, calcium and/or potassium electrolyte to seven bioavailable nutrients, each of which had a pH below 6, thereby increasing the pH of the combination to at least 8.

6. It is my understanding from Ms. Hornack's Declaration the inventors discovered that

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by adding a selected electrolyte to acidic solid dietary and/or therapeutic supplement agents having a pH of 6 or less to increase the pH of the combination to a level such that the pH of the supplement is at an ideal pH of about 8 to about 12.5, two synergistic phenomena occur. As a consequence, the agent in the composition is more absorbable and more rapidly and efficiently digested in the cardio fundic portion of the individual's stomach. The majority of the agent is digested within a shorter time with less pH fluctuation caused by the composition ingested than would otherwise be the case, if the agent remained acidic. Furthermore, incorporation of a critical amount of the electrolyte factors in the composition provides for an improved intracellular/extracellular transfer rate of the dietary and/or therapeutic supplement agent, contributing to the increased bioavailability and effectiveness of the supplement agent.

7. I have given consideration to the subject matter of claim 1 of the Hornack/Dorman continuation application, which I understand reads as follows:

An improved dietary and/or therapeutic supplement composition consisting essentially of, in combination:

a solid dietary and/or therapeutic supplement agent selected from the group consisting of water soluble vitamins, bioflavonoids, minerals, trace minerals, whole plant food products containing phytonutrients, herbs, and mixtures of the foregoing that are known to promote health and well being and each having a pH of 6 or less which upon ingestion with food or a beverage would limit the availability of the agent to the person ingesting the agent; and

an electrolyte additive selected from the group consisting of calcium, magnesium and potassium alkaline electrolytes, a sufficient amount of the alkaline additive being provided in combination with the agent to raise the pH of the combination to a level of from about 8 to about 12.5 and enough electrolytes to improve bioavailability at cellular levels upon ingestion of the supplement composition thereby increasing the effectiveness and utilization of the agent in the person's body.

8. I am of the opinion it would be obvious to one skilled in this art from a review of the Hornack notebook entry, Exhibit B to the Hornack Declaration, that the same improved results would be obtained with obvious variations and adaptations of the specific dietary and/or therapeutic supplement agents recorded by Ms. Hornack in Exhibit B of her declaration, such as the acidic water soluble vitamins, bioflavonoids, minerals, phytonutrients and herbs recited in the claim language of paragraph 7 above. 9. I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that wilful, false

statements and the like are punishable by fine or imprisonment, or both, under ' 1001 of Title 18 of the United States Code.


Signature

CURRICULUM VITAE

Peipei Wu Wishnow, Ph.D.
Interceuticals, Inc.
82 Bubier Road
Marblehead, MA 01945

1997 - Present

- **President and founder of Interceuticals, Inc., launched the company's first product: BetterMAN (formerly NuMAN), established distribution in pharmacies, health food stores and medical/wellness centers**
- **Public speaker, media experiences including interview by the Wall Street Journal, Dateline NBC, numerous TV/ radio talk shows, health talk shows and health stations, and general publications**

1992-1997

- **Protein biochemist/manager at Immulogic Pharmaceuticals, a bio-pharmaceutical company in Waltham, MA.**

1990-1992

- **Postdoctoral research associate scientist at Massachusetts Institute of Technology, MA.
Filed US patent on a novel plasmid for in-vivo protein degradation**
- **Postdoctoral research associate at California Institute of Technology, CA.**

1985-1990

- **Ph.D. in Biology at Hunter College of City University of New York, NY.**

1982-1985

- **Master of Sciences in Genetics at Hangzhou University, Zhejiang Province, the People's Republic of China**

1978-1982

- **Bachelor of Sciences in Biology at Hangzhou University, Zhejiang Province, the People's Republic of China**

Hobbies

- **International cooking, gardening, sailing, travelling**

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